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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/626,461	07/24/2003	Wendy Eason	60027.0351US01/BS02512	1318

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MERCHANT & GOULD PC
P.O. BOX 2903
MINNEAPOLIS, MN 55402-0903

EXAMINER

SZYMANSKI, THOMAS M

ART UNIT	PAPER NUMBER
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2134

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/02/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/626,461	Applicant(s) EASON, WENDY	
	Examiner Thomas Szymanski	Art Unit 2134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 July 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 7/24/2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-20 have been examined.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-2, 4-6, 8-12, 14-18, 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamaguchi et al. United States Patent Application Publication No.

2002/0059382 (hereinafter "Yamaguchi").

4. Regarding Claims 1, 11: An e-mail client, comprising: message composition logic operable to compose a message to at least one recipient (Yamaguchi figures 1, 5, paragraphs 38, 41)

Write protect logic operable to protect the message against subsequent alteration by said at least one recipient (Yamaguchi Fig 1, 5, 13, paragraphs 10-12, 47, 49, 61) As seen the message to be sent to CC and BCC recipients is modified to make the message write-protected.

5. Regarding Claim 2: The client of claim 1, wherein the write protect logic comprises conversion logic operable to change the file from a text file to a picture file (Yamaguchi figure 5, 13, paragraph 47)

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6. Regarding Claim 4, 17. The client of claim 2, wherein the picture file is stored on a central server for retrieval by the recipient (Yamaguchi paragraphs 40, figure 1)
Yamaguchi provides for standard email service wherein the email is downloaded from a server, the email clearly comprising the associated picture file.
7. Regarding Claims 5, 20: The client of claim 2, wherein the picture file is included as an attachment to the message (Yamaguchi paragraph 49)
8. Regarding Claims 6, 14: The client of claim 2, wherein the picture file is a joint photographic experts group (JPEG) file (Yamaguchi figure 13, paragraph 47)
9. Regarding Claims 8, 12. The client of claim 1, wherein the write protect logic comprises conversion logic operable to change the file from a text file to a portable document format (PDF) file (Yamaguchi figure 13, paragraph 47).
10. Regarding Claims 9, 16: The client of claim 1, wherein the composition logic is operable to allow the user to compose a new message, a reply to a received message or forward a received message. (Yamaguchi paragraphs 39, 41, figures 1, 5)
Sending to at least one user in write-protected format (Yamaguchi paragraph 47)
11. Regarding Claims 10, 15. The client of claim 1, wherein the client further comprises a user interface operable to allow the user to select a plurality of options, including enabling the write protect logic. (Yamaguchi paragraphs 44-46) The user has the option of choosing if write protection is utilized by selecting which field the recipient's address is placed in.
12. Regarding Claim 18. The method of claim 16, wherein the message is downloaded to a computer for viewing by the user. (Yamaguchi paragraph 40)

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 7, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamaguchi.

15. Yamaguchi lacks explicitly a teaching of using a GIF file type as the image.

However, the examiner takes Official Notice that the GIF file format is old and well established in the art of computing as a means to represent data as an image.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to utilize a GIF file format for the image. One of ordinary skill in the art would have been motivated to utilize such a format. The advantages of GIF is well known to those skilled in the art.

16. Regarding Claim 7: The client of claim 2, wherein the picture file is a graphics image format (GIF) file. See Yamaguchi figure 13 and paragraph 47, wherein Yamaguchi discloses the use of similar image file types.

17. Claims 3, 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamaguchi.

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18. Yamaguchi lacks explicitly teaching attaching the file as an inline attachment. However, the examiner takes Official Notice that including such an attachment as a picture as an inline attachment is old and well established in the art of electronic messaging as a means of including such files within a message. Therefore it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to include such a file as an inline attachment. One of ordinary skill in the art would have been motivated to utilize such a method as the advantages of inline attachments are well known to those skilled in the art.

19. Regarding Claim 3, 19: The client of claim 2, wherein the picture file is included as an inline image within the message.

Conclusion

20. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is reminded that in amending in response to a rejection of claims, the patentable novelty must be clearly shown in view of the state of art disclosed by the references cited and the objections made. Applicant must show how the amendments avoid such references and objections. See 37 CFR 1.111(c).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Szymanski whose telephone number is 571-272-8574. The examiner can normally be reached on M-F 8-4:30.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Zand can be reached on 571-272-3811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



TMS
3/23/2007


KAMBIZ ZAND
PRIMARY EXAMINER